

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of the Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE SIDE OF THE FORM.)

**I.(a) PLAINTIFFS**

Trina Spicer, Plaintiff(s)

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF York County, PA  
(EXCEPT IN U.S. PLAINTIFF CASES)

(C) ATTORNEY'S (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Susan B. Ayres, Esquire  
Hill & Associates  
123 South Broad Street, Suite 1100  
Philadelphia, PA 19109

**DEFENDANTS**

Trump Entertainment Resorts and Trump Plaza, Defendant(s)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Atlantic County, NJ  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

## ATTORNEYS (IF KNOWN)

Marks, O'Neill, O'Brien, Doherty & Kelly, P.C.  
1800 JFK Boulevard, Suite 1900  
Philadelphia, PA 19103

**II. BASIS OF JURISDICTION** (PLACE AN X IN ONE BOX ONLY)

- |  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)                     |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN X IN ONE BOX FOR DIVERSITY CASES ONLY FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

Citizen of This State	PTF DEF X1 <input type="checkbox"/> 1	Incorporated or Principle Place of Business in this State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2	Incorporated and Principle Place of Business in Another State	<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

**IV. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

2120 Premises Liability - Personal Injury

**V. NATURE OF SUIT** (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgement <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contact Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Liable & Slander <input type="checkbox"/> 330 Federal Employer's Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <b>X 360 Other Personal Injury</b>	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury Med - Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R. R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	SOCIAL SECURITY
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
				FEDERAL TAX SUITS
				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

**VI. ORIGIN**

- |  |  |  |   |   |   |  |                    |
|--|--|--|---|---|---|--|--------------------|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | Transferred from another district (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Judge from Magistrate Judgement | Appeal to District |
|--|--|--|---|---|---|--|--------------------|

**VII. REQUESTED IN COMPLAINT:**  CHECK IF THIS IS A CLASS ACTION  
 UNDER F.R.C.P. 23

DEMAND \$ \_\_\_\_\_

Check YES only if demanded in complaint:  
JURY DEMAND:  YES  NO**VIII. RELATED CASE(S)** (SEE INSTRUCTIONS)

IF ANY N/A

JUDGE Judge of Related Case

DOCKET NUMBER Docket Number of Related Case

DATE: June 24, 2014

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

TRINA SPICER	:	CIVIL ACTION
1016 W. King Street, 3 <sup>rd</sup> Floor	:	
York, PA 17401	:	
v.	:	NO.
TRUMP ENTERTAINMENT RESORTS AND	:	
TRUMP PLAZA	:	
1000 Boardwalk at Virginia Avenue	:	
Atlantic City, NJ 08401	:	
	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ( X )
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

June 24, 2014

Date



**Trump Entertainment Resorts and Trump Plaza**

Attorney-at-law

Attorney for

(215)564-6688

(215)564-2526

jvaughan@moodklaw.com

Telephone

(Civ. 660) 10/02

FAX Number

E-Mail Address

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 1016 W. King Street, 3<sup>rd</sup> Floor, York, PA 17401

Address of Defendant: 1000 Boardwalk at Virginia Avenue, Atlantic City, NJ 08401

Place of Accident, Incident or Transaction: Trump Plaza, 1000 Boardwalk at Virginia Avenue, Atlantic City, NJ 08401

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes  No

Does this case involve multidistrict litigation possibilities?

Yes  No

**RELATED CASE, IF ANY:**

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes  No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes  No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes  No

**CIVIL: (Place ✓ in ONE CATEGORY ONLY)**

A. Federal Question Cases:

1.  Indemnity Contract, Marine Contract, and All Other Contracts
2.  FELA
3.  Jones Act-Personal Injury
4.  Antitrust
5.  Patent
6.  Labor-Management Relations
7.  Civil Rights
8.  Habeas Corpus
9.  Securities Act(s) Cases
10.  Social Security Review Cases
11.  All other Federal Question Cases  
(Please specify)

B. Diversity Jurisdiction Cases:

1.  Insurance Contract and Other Contracts
2.  Airplane Personal Injury
3.  Assault, Defamation
4.  Marine Personal Injury
5.  Motor Vehicle Personal Injury
6.  Other Personal Injury (Please specify) Slip & Fall
7.  Products Liability
8.  Products Liability — Asbestos
9.  All other Diversity Cases

(Please specify)

**ARBITRATION CERTIFICATION**

(Check appropriate Category)

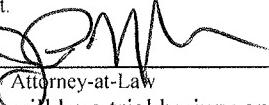
I, Jamie P. Vaughan, counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case the sum of \$150,000.00 exclusive of interest and costs;

exceed

Relief other than monetary damages is sought.

DATE: 6/24/14

  
Attorney-at-Law

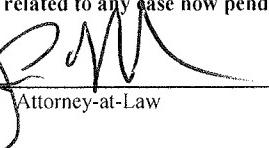
93531

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 6/24/14

  
Attorney-at-Law

93531

Attorney I.D.#

CIV. 609 (4/03)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

063-96050

TRINA SPICER

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP PLAZA

CIVIL ACTION

NO.

**NOTICE OF FILING NOTICE OF REMOVAL  
TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN  
DISTRICT OF PENNSYLVANIA**

TO: Susan B. Ayres, Esquire  
Hill & Associates  
123 South Broad Street, Suite 1100  
Philadelphia, PA 19109

**PLEASE TAKE NOTICE** that Trump Entertainment Resorts and Trump Plaza, in the matter of Trina Spicer vs. Trump Entertainment Resorts and Trump Plaza, originally pending in the Court of Common Pleas in the County of Philadelphia, Pennsylvania, under July Term 2013, No. 1211, file in the United States District Court for the Eastern District of Pennsylvania, their Notice of Removal of said cause to the Eastern District of Pennsylvania. A copy of the Notice of Removal is attached hereto and served herewith.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

By: JPV3138

Jamie P. Vaughan, Esquire  
Attorney I.D. No.: 93531  
1800 JFK Boulevard, Suite 1900  
Philadelphia, Pa. 19103  
215-564-6688  
Attorney for Defendants

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

063-96050

TRINA SPICER

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP PLAZA

CIVIL ACTION

NO.

**NOTICE OF REMOVAL**

AND NOW, Defendants, Trump Entertainment Resorts and Trump Plaza, by and through their attorneys, MARKS, O'NEILL, O'BRIEN, DOHERTY & KELLY, P.C., hereby seek removal of the above-captioned case to this Honorable Court and provide notice of same to counsel representing the Plaintiff. In support of the removal, the Defendants aver as follows:

1. This is an action filed and now pending in the Philadelphia Court of Common Pleas, July Term 2013, No. 1211.
2. This action was initially instituted via Complaint which was filed on July 8, 2013. A copy of Plaintiff's Complaint is attached hereto as Exhibit "A".
3. Plaintiff initially filed this matter in the arbitration program of Philadelphia County, which has a maximum recovery of \$50,000.00 at the non-binding arbitration. As a result, Defendants initially did not have a good faith basis to remove this matter within thirty (30) days in accordance with 28 U.S.C. §1446(b).
4. If the non-binding arbitration is appealed then this matter will proceed to a jury trial with no limit on Plaintiff's potential recovery in this matter.

5. Plaintiff would not agree to limit her potential recovery to \$75,000.00. (See a true and correct copy of the June 18, 2014 email correspondences between counsel, attached hereto as Exhibit "B.") As a result, this Notice of Removal is being filed within one (1) year after the commencement of the action pursuant to 28 U.S.C. §1446(c)(1).

6. This is a civil suit and involves controversy between citizens of different states. Plaintiff, upon information and belief, was at the time of the commencement of the above action a citizen of the Commonwealth of Pennsylvania.

7. Defendants, Trump Entertainment Resorts and Trump Plaza, are located at 1000 Boardwalk at Virginia Avenue, Atlantic City, NJ 08401, and are New Jersey corporations.

8. Defendants allege and aver upon information and belief that the amount in controversy is in excess of \$75,000.00, exclusive of interests and costs. Further, as stated above, Plaintiff will not agree to limit her damages to \$75,000.00. Plaintiff, who was pregnant at the time of her incident, has alleged injuries to her back as well as alleged complications with her pregnancy/delivery.

9. The above-described Civil Action is one in which this Honorable Court has original jurisdiction pursuant to Title 28 United States Code Section 1332 based upon the fact that there exists diversity of citizenship between the parties and the amount in controversy is in excess of \$75,000.00, exclusive of interests and costs, and is accordingly one which may be removed to this Honorable Court by Notice pursuant to Title 28, United States Code, Section 1441.

10. Promptly after filing this Notice of Removal in this Honorable Court, a copy of this Notice of Removal will be filed with the Court of Common Pleas of Philadelphia County, Commonwealth of Pennsylvania, in accordance with 28 United States Code, Section 1446(d).

11. Copies of all process, pleadings and order served upon defendants as of the time of this removal are attached hereto in accordance with 28 United States Code, Section 1446(a). (See Plaintiff's Reply to New Matter of Defendant, attached hereto as Exhibit "C".)  
{PH774130.1}

12. Defendants have contemporaneously with the filing of this Notice of Removal given written notice to Plaintiff's counsel.

WHEREFORE, Defendants respectfully request that this action, currently docketed in the Court of Common Pleas of Philadelphia County be removed to the United States District Court for the Eastern District of Pennsylvania.

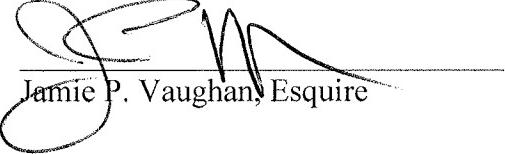
**MARKS, O'NEILL, O'BRIEN.  
DOHERTY & KELLY, P.C.**

By: JPV3138  
Jamie P. Vaughan, Esquire  
Attorney I.D. No.: 93531  
1800 JFK Boulevard, Suite 1900  
Philadelphia, Pa. 19103  
215-564-6688  
Attorney for Defendant

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
: :  
COUNTY OF PHILADELPHIA :

**AFFIDAVIT**

Jamie P. Vaughan, Esquire being duly sworn according to law deposes and says that the facts set forth in the foregoing Notice of Removal are true and correct to the best of his knowledge, information and belief.

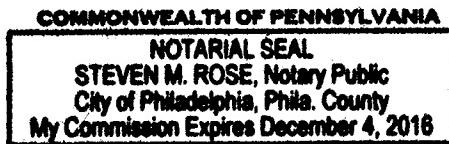


Jamie P. Vaughan, Esquire

Sworn to and Subscribed  
before me this 24 day of  
JUNE , 2014.



Notary Public



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

063-96050

TRINA SPICER

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP PLAZA

CIVIL ACTION

NO.

**DISCLOSURE STATEMENT FORM**

Please check one box:

- The nongovernmental corporate party, Trump Plaza and Trump Entertainment Resorts in the above listed civil action does not have any parent corporation and publicly held corporation that owns 10% or more of its stock.
- The nongovernmental corporate party, \_\_\_\_\_, in the above listed civil action has the following parent corporation(s) and publicly held corporation(s) that owns 10% or more of its stock:

June 24, 2014

Date

/s/Jamie P. Vaughan

Signature

Counsel for: Trump Entertainment Resorts and Trump Plaza

**Federal Rule of Civil Procedure 7.1 Disclosure Statement**

- (a) WHO MUST FILE; CONTENTS. A nongovernmental corporate party must file Two copies of a disclosure statement that:
- (1) identifies any parent corporation and any publicly held corporation owning 10% or more of its stock; or
  - (2) states that there is no such corporation.
- (b) TIME TO FILE; SUPPLEMENTAL FILING. A party must:
- (1) file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court; and
  - (2) promptly file a supplemental statement if any required information changes.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

063-96050

TRINA SPICER

vs.

TRUMP ENTERTAINMENT RESORTS AND  
TRUMP PLAZA

CIVIL ACTION  
NO.

**CERTIFICATE OF SERVICE**

I hereby certify that this 24th day of **June 2014**, a true and correct copy of the Defendants' Notice to Remove was served on all parties of record by electronic filing and/or first class mail, postage prepaid.

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

By: JPV3138  
Jamie P. Vaughan, Esquire  
Attorney for Defendant  
1800 JFK Boulevard, Suite 1900  
Philadelphia, Pa. 19103  
215-564-6688

## **EXHIBIT A**

USTED ESTA ORDENADO COMPARCER EN Arbitration Hearing 1880 JFK Blvd., 5th fl. at 09:15 AM - 03/25/2014  
 You must still comply with the notice below. USTED TODAVIA DEBE CUJPLIR CON EL AVISO PARA DEFENDERSE.  
 This matter will be heard by a Board of Arbitrators at the time, date and place specified but, if one or more parties is not present at the hearing, the matter may be heard at the same time and date before a judge of the court without the absent party or parties.  
 There is no right to a trial de novo on appeal from a decision entered by a Judge.

**HILL & ASSOCIATES****BY: LEONARD K. HILL****Identification No. 81849****Suite 1100, 123 S. Broad Street****Philadelphia, PA 19109****(215) 567-7600****THIS IS AN ARBITRATION****MATTER****Attorney for Plaintiff**

<b>Plaintiff</b>	:	<b>COURT OF COMMON PLEAS</b>
	:	<b>PHILADELPHIA COUNTY</b>
	:	<b>CIVIL TRIAL DIVISION</b>
	:	
	:	<b>Term,</b>
<b>vs.</b>	:	<b>NO.</b>
	:	
<b>Trump Entertainment Resorts</b>	:	
<b>1000 Boardwalk at Virginia Avenue</b>	:	
<b>Atlantic City, NJ 08401</b>	:	
	:	
<b>Trump Plaza, a/k/a, Trump Plaza</b>	:	
<b>Associates, LLC, a/k/a Trump Plaza</b>	:	
<b>Hotel &amp; Casino, a/k/a Trump Plaza Hotel,:</b>	:	
<b>a/k/a Trump Plaza Associates, a/k/a</b>	:	
<b>Trump Plaza Holding, Inc.</b>	:	
<b>The Boardwalk and Mississippi Avenue</b>	:	
<b>Atlantic City, NJ 08401</b>	:	
<b>Defendants</b>	:	

**CIVIL ACTION-COMPLAINT-SLIP & FALL**  
**NEGLIGENCE-PREMISES LIABILITY 2S**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Philadelphia Bar Association  
 Lawyer Referral and Information  
 One Reading Center  
 Philadelphia, PA 19107  
 (215) 238-1701

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SINO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Asociacion De Licenciado De Filadelfia  
 One reading Center  
 Filadelfia, PA 19107  
 Telefono: (215) 238-1701

Case ID: 130701211

HILL & ASSOCIATES  
BY: LEONARD K. HILL  
Identification No. 81849  
Suite 1100, 123 S. Broad Street  
Philadelphia, PA 19102  
(215) 567-7600

Attorney for Plaintiff

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Trina Spicer	:	COURT OF COMMON PLEAS
Plaintiff	:	PHILADELPHIA COUNTY
	:	CIVIL TRIAL DIVISION
vs.	:	
	:	Term,
Trump Entertainment Resorts, et al.	:	NO.
Defendants	:	

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**CIVIL ACTION-COMPLAINT-SLIP & FALL**  
**NEGLIGENCE-PREMISES LIABILITY 2S**

GENERAL AVERMENTS

1. Plaintiff, Trina Spicer, is an individual citizen and resident of the Commonwealth of Pennsylvania, residing at the address shown in the caption.
2. Defendant, Trump Entertainment Resorts, upon information and belief, is a corporation or other business entity which does business in the Commonwealth of Pennsylvania and in New Jersey and has a business address of 1000 Boardwalk at Virginia Avenue, Atlantic City, NJ 08401.
3. Upon information and belief, Defendant, Trump Entertainment Resorts, owned, leased, managed, repaired, maintained, possessed and/or otherwise controlled the subject premises and hotel room where the Plaintiff was injured, as more fully discussed below.
4. Defendants, Trump Plaza, a/k/a Trump Plaza Associates, LLC, a/k/a Trump Plaza Hotel and Casino, a/k/a Trump Plaza Hotel, a/k/a Trump Plaza Associates, a/k/a Trump Plaza Holding, Inc., (hereby referred to as "Trump Plaza") upon further information and belief is a corporation, other business entity, which does business in the

Commonwealth of Pennsylvania and in New Jersey and has a business address of the Boardwalk and Virginia Avenue, Atlantic City, NJ 08401 in Atlantic City, New Jersey.

5. Upon information and belief, Defendant, Trump Plaza, owned, leased, managed, repaired, maintained, possessed, or otherwise controlled the subject premises and hotel room where Plaintiff was injured, as more fully discussed below.

6. On or about May 12, 2012, Plaintiff was in a hotel room at Defendants' premises when she suddenly and unexpectedly slipped and fell due to a dangerous and/or defective condition in the room, namely, a wet floor due to water coming from a leak in the room. Plaintiff, who was several months pregnant at the time, sustained serious and permanent injuries including complications with her pregnancy and delivery, and ongoing lower back pain.

**COUNT I**  
**Trina Spicer VS. Defendants**  
**NEGLIGENCE**

7. Plaintiff, Trina Spicer, hereby incorporates by reference hereto, the above paragraphs, inclusively, as if the same were fully set forth herein at length.

8. The aforementioned incident was caused solely by the negligence of Defendants in failing to properly maintain their premises which negligence consisted of the following:

- (a) failing to properly inspect, discover and remedy the defective condition which existed in the hotel room, which the Defendant knew or reasonably should have known existed prior to the time of Plaintiff's fall;
- (b) failing to warn members of the general public of the dangerous conditions which existed;
- (c) allowing a dangerous and hazardous condition to exist on subject premises.

9. At all times mentioned herein, Plaintiff Trina Spicer acted with due care

and was not contributorily negligent.

Case ID: 130701211

10. As a result of the aforementioned incident, Plaintiff was caused to sustain serious and permanent injuries including but not limited to injuries to: early labor and pregnancy complications, and low back pain and discomfort.

11. As a result of the aforementioned incident and resulting injuries, Plaintiff Trina Spicer has been caused to expend various sums of money for medicine and medical attention for treatment and/or cure of these injuries and to have essential services performed during the duration of the physical impairment, all to her great financial detriment and loss and expects to pay additional sums of money for medicine and medical attention in the future all to Plaintiff's great financial detriment and loss.

12. As a further result of the aforementioned incident and resulting injuries, Plaintiff Trina Spicer may have been prevented from attending to usual and customary duties, vocation and occupations, thereby sustaining a loss of earnings and/or earning capacity, all to great financial detriment and loss.

**Wherefore**, Plaintiff, Trina Spicer, hereby demands judgment against Defendants, Trump Entertainment Resorts and Trump Plaza, in an amount not in excess of Fifty Thousand (\$50,000) Dollars.



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LEONARD K. HILL, ESQUIRE  
Attorney for Plaintiff

Date: 7/8/13

**VERIFICATION**

The undersigned states that he/she is the plaintiff herein and verifies that the statements made in the foregoing Complaint-Civil Action is true and correct to the best of his/her knowledge, information and belief; and that this statement is made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

DATED: 6/3/13, 2011

Signature 

Print Name TRINA SPICER

## **EXHIBIT B**

**Vaughan, Jamie P.**

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**From:** Susan Ayres <sue@hilljustice.com>  
**Sent:** Friday, June 20, 2014 11:02 AM  
**To:** Vaughan, Jamie P.  
**Subject:** Re: Spicer

No one knows the potential value of the case until a jury comes back with the verdict

Sent from my iPhone

On Jun 20, 2014, at 10:38 AM, "Vaughan, Jamie P." <[JVaughan@moodklaw.com](mailto:JVaughan@moodklaw.com)> wrote:

Sue

While I do appreciate the careful wording of your email and that your demand is \$50,000 for settlement purposes, my client is looking to make a decision shortly regarding removing this case to Federal Court. Simply stated, you can certainly advise as to whether or not the potential value of this case exceeds \$75,000. If you believe the value of this case does not exceed \$75,000, then we can remain in state court and you can execute the stipulation. With all due respect, if you trying evade this issue and prevent us from potentially removing this case to Federal Court, this could certainly lead to appealable issues.

Jamie

**From:** Susan Ayres [<mailto:sue@hilljustice.com>]  
**Sent:** Wednesday, June 18, 2014 9:05 AM  
**To:** Vaughan, Jamie P.  
**Subject:** RE: Spicer

As you noted, this was filed as an arb case. Likewise, I believe I gave you a settlement demand of \$50k. Therefore, the case is not removable. I am not, however, going to "stipulate to a maximum recovery". If the case is arbitrated and appealed and later tried and a jury later finds her damages to exceed \$75k, so be it.

**Susan Ayres | Attorney**

P. (215) 567-7600  
F. (215) 525-4311  
E. [sue@hilljustice.com](mailto:sue@hilljustice.com)  
<http://www.hilljustice.com>

<image002.gif>Hill & Associates P.C.  
123 S. Broad Street, Suite 1100  
Philadelphia, PA 19109

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**From:** Vaughan, Jamie P. [<mailto:JVaughan@moodklaw.com>]  
**Sent:** Wednesday, June 18, 2014 8:44 AM

**To:** Susan Ayres

**Subject:** Spicer

Sue

Hope all is well. Please advise if your client would be willing to stipulate to a maximum recovery of \$75k in this case.

Thank you

Jamie

**Jamie P. Vaughan**

**Attorney at Law**

Marks, O'Neill, O'Brien, Doherty & Kelly, P.C.

Suite 1900

1800 John F. Kennedy Boulevard

Philadelphia, PA 19103

215-832-4215 Direct | 215-564-6688 Office | 215-564-2526 Fax | [jvaughan@moodklaw.com](mailto:jvaughan@moodklaw.com) | [www.moodklaw.com](http://www.moodklaw.com)

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## **EXHIBIT C**

HILL & ASSOCIATES  
BY: SUSAN B. AYRES, ESQUIRE  
Identification No. 87562  
Suite 1100, 123 S. Broad Street  
Philadelphia, PA 19109  
(215) 567-7600

Attorney for Plaintiff



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Trina Spicer	:	COURT OF COMMON PLEAS
Plaintiff	:	PHILADELPHIA COUNTY
	:	CIVIL TRIAL DIVISION
vs.	:	
	:	July Term, 2013
Trump Entertainment Resorts, et al.	:	NO. 1211
Defendants	:	

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**PLAINTIFF'S REPLY TO NEW MATTER OF DEFENDANT**

13-22 Denied. All factual allegations, if any, stated by defendant are hereby denied.

Furthermore, defendants are stating conclusions of law to which no response is mandated pursuant to the Pennsylvania Rules of Civil Procedure. Wherefore, this allegation is denied in its entirety and strict proof thereof is demanded at time of trial.

**WHEREFORE**, Plaintiff requests judgment in her favor and against the Defendants for the damages and costs of suit as stated in Plaintiff's Complaint.

HILL & ASSOCIATES, P.C.



8-29-13  
BY: SUSAN B. AYRES, ESQUIRE

**Certificate of Service**

I, Susan B. Ayres, Esquire, hereby certify that a true and correct copy of Plaintiff's Reply to New Matter served by sending via E-filing to counsel listed below on this 28<sup>TH</sup> Day of August, 2013.

Jaime Vaughan, Esquire  
MARKS, O'NEILL, O'BRIEN, DOHERTY & KELLY, P.C.  
1800 JFK Blvd., 19th Floor  
Philadelphia, PA 19103

**HILL & ASSOCIATES, P.C.**



\_\_\_\_\_  
**BY: SUSAN B. AYRES, ESQUIRE**